

DRAFT MINUTES OF THE PUBLIC BOARD MEETING
OF THE ARIZONA BOARD OF OSTEOPATHIC
EXAMINERS IN MEDICINE AND SURGERY

September 16, 2006

BOARD MEMBERS PRESENT: President David Steinway, D.O., Vice-President Stanley Grossman, Murray Cohen, D.O., F.P. Wedel, D.O., Arlene England, D.O., Mr. Andrew Becke & Mary Ann Picardo, D.O.

STAFF / OTHERS PRESENT: Jack Confer, Executive Director
Barbara Meyers, Deputy Director
Blair C. Driggs, Assistant Attorney General
Beverly Alfson, Licensing/Business Manager

1. **CALL TO ORDER by President David Steinway – 8:02AM**

2. **ROLL CALL AND REVIEW OF AGENDA**

3. **PRESIDENT’S REPORT AND CALL TO THE PUBLIC:**

4. **REVIEW, CONSIDERATION AND APPROVAL OF MINUTES:**

A. August 26, 2006 Regular Session Board Meeting Minutes

MOTION: Dr. Wedel moved to ACCEPT the minutes. Mr. Grossman seconded.

VOTE: The motion passed unanimously.

B. August 26, 2006 Executive Session Board Meeting Minutes

MOTION: Dr. Wedel moved to ACCEPT the minutes. Mr. Grossman seconded.

VOTE: The motion passed unanimously.

5. **REVIEW, DISCUSSION AND ACTION ON INVESTIGATIVE HEARINGS PURSUANT TO A.R.S. § 32-1855 (E) ONLY.**

A. Jeffrey Gitt, DO Case No. 3473 License No. 2023

The Deputy Director provided a summary of the case. Dr. Gitt was present and sworn in. Dr. Gitt summarized his medical care and answered all questions posed by the Board.

MOTION: Dr. Wedel moved for DISMISSAL. Dr. Cohen seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. Wedel	Dr. Cohen	Dr. England	Mr. Becke	Dr. Picardo
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YES	7	X	X	X	X	X	X	X
NO	0							
ABSTAIN	0							
ABSENT	0							

ROLL CALL VOTE: The motion passed 7-0.

B. William Zachow, DO Case No. 3498 License No. 2324

The Deputy Director provided a summary of the case. Dr. Zachow was present with attorney Russell Richelsoph. Dr. Zachow was sworn in by the court reporter and answered all questions posed by the Board.

At 8:40 a.m. the Board went into Executive Session for legal advice. The meeting resumed at 8:45 a.m.

MOTION: Mr. Wedel moved for DISMISSAL. Dr. England seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. Wedel	Dr. Cohen	Dr. England	Mr. Becke	Dr. Picardo
YES	5		X	X	X	X		X
NO	2	X					X	
ABSTAIN	0							
ABSENT	0							

ROLL CALL VOTE: The motion passed 5-2.

6. **REVIEW, CONSIDERATION, AND ACTION ON APPLICATIONS FOR LICENSURE PURSUANT TO A.R.S. § 32-1822; PERMITS PURSUANT TO A.R.S. § 32-1829; AND RENEWALS OF LICENSES PURSUANT TO A.R.S. § 32-1825 (C-D) AND A.A.C. R4-22-109.**

A. Harry Faust, DO

Dr. Faust was present and sworn in by the court reporter. Dr. Faust answered all questions posed by the Board.

MOTION: Mr. Grossman moved to GRANT a license. Dr. Cohen seconded.

VOTE: The motion passed unanimously.

C. Darrell Parry, DO

Dr. Parry was present and sworn in. Dr. Parry answered all questions posed by the Board.

MOTION: Dr. Wedel moved that Dr. Parry undergo evaluation prior to licensure. Mr. Grossman seconded.

VOTE: The motion passed unanimously.

C. Linda Davis, D.O.

This matter was postponed and pulled from the agenda.

7. REVIEW, DISCUSSION, AND ACTION ON CASE REVIEWS OF ALLEGATIONS OF UNPROFESSIONAL CONDUCT A.R.S. § 32-1855 (C through F).

A. Charles Schwengel, DO Case No. 3631 License No. 3019

MOTION: Dr. Cohen moved to ADMINISTRATIVELY CLOSE. Mr. Grossman seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. Wedel	Dr. Cohen	Dr. England	Mr. Becke	Dr. Picardo
YES	7	X	X	X	X	X	X	X
NO	0							
ABSTAIN	0							
ABSENT	0							

ROLL CALL VOTE: The motion passed 7-0.

B. Douglas Bailes, DO Case No. 3626M License No. 2449

FIRST MOTION: Dr. England moved for DISMISSAL. Dr. Wedel seconded.

VOTE: The motion failed 3-4, with Mr. Becke, Dr. Cohen, Mr. Grossman, and Dr. Steinway voting against the motion.

SECOND MOTION: Mr. Grossman moved for a LETTER OF CONCERN pursuant to A.R.S. § 32-1854 (6) and (38) for failure to recommend a colonoscopy in a patient over 40 with rectal bleeding.

	Vote	Dr. Steinway	Mr. Grossman	Dr. Wedel	Dr. Cohen	Dr. England	Mr. Becke	Dr. Picardo
YES	4	X	X		X		X	
NO	3			X		X		X
ABSTAIN	0							
ABSENT	0							

ROLL CALL VOTE: The motion passed 4-3.

C. Jack Hawks, DO

Case No. 3731

License No. 4049

MOTION: Mr. Becke moved for DISMISSAL. Dr. Wedel seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. Wedel	Dr. Cohen	Dr. England	Mr. Becke	Dr. Picardo
YES	7	X	X	X	X	X	X	X
NO	0							
ABSTAIN	0							
ABSENT	0							

ROLL CALL VOTE: The motion passed 7-0.

D. David Fink, DO

Case No. 3563M

License No. 3669

MOTION: Dr. Wedel moved for DISMISSAL. Mr. Grossman seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. Wedel	Dr. Cohen	Dr. England	Mr. Becke	Dr. Picardo
YES	7	X	X	X	X	X	X	X
NO	0							
ABSTAIN	0							
ABSENT	0							

ROLL CALL VOTE: The motion passed 7-0.

E. Bruce Takahashi, DO

Case No. 3703

License No. 3133

MOTION: Mr. Grossman moved for an INVESTIGATIVE HEARING. Dr. Wedel seconded.

ROLL CALL VOTE: The motion passed 7-0.

F. Kenneth Levine, DO Case No. 3545 License No. 1696

MOTION: Dr. Wedel moved to issue a LETTER OF CONCERN pursuant to A.R.S. § 32-1854 (21) for failure to maintain medical records. Mr. Grossman seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. Wedel	Dr. Cohen	Dr. England	Mr. Becke	Dr. Picardo
YES	7	X	X	X	X	X	X	X
NO	0							
ABSTAIN	0							
ABSENT	0							

ROLL CALL VOTE: The motion passed 7-0.

G. Richard Mickle, DO Case No. 3551 License No. 2767

MOTION: Mr. Becke moved for DISMISSAL. Dr. England seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. Wedel	Dr. Cohen	Dr. England	Mr. Becke	Dr. Picardo
YES	7	X	X	X	X	X	X	X
NO	0							
ABSTAIN	0							
ABSENT	0							

ROLL CALL VOTE: The motion passed 7-0.

H. John Boccia, DO Case No. 3709 License No. 3685

FIRST MOTION: Dr. Cohen moved for a LETTER OF CONCERN. Mr. Grossman seconded.

VOTE: The motion failed 3-4, with Dr. Picardo, Dr. England, Dr. Wedel, and Dr. Steinway voting against the motion.

SECOND MOTION:

Dr. England moved for DISMISSAL. Dr. Wedel seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. Wedel	Dr. Cohen	Dr. England	Mr. Becke	Dr. Picardo
YES	4	X		X		X		X
NO	3		X		X		X	
ABSTAIN	0							
ABSENT	0							

ROLL CALL VOTE:

The motion passed 4-3.

I. Alphonse Ambrosia, DO Case No. 3548 License No. 2705

MOTION: Dr. Cohen moved for DISMISSAL. Dr. Wedel seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. Wedel	Dr. Cohen	Dr. England	Mr. Becke	Dr. Picardo
YES	7	X	X	X	X	X	X	X
NO	0							
ABSTAIN	0							
ABSENT	0							

ROLL CALL VOTE:

The motion passed 7-0.

J. Alphonse Ambrosia, DO Case No. 3590M License No. 2705

MOTION: Dr. Wedel moved for DISMISSAL. Dr. Cohen seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. Wedel	Dr. Cohen	Dr. England	Mr. Becke	Dr. Picardo
YES	7	X	X	X	X	X	X	X
NO	0							
ABSTAIN	0							
ABSENT	0							

ROLL CALL VOTE:

The motion passed 7-0.

K. Frank Paul, DO

Case No. 3536M

License No. 3473

MOTION: Dr. Wedel moved for DISMISSAL. Dr. England seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. Wedel	Dr. Cohen	Dr. England	Mr. Becke	Dr. Picardo
YES	6	X	X	X		X	X	X
NO	1				X			
ABSTAIN	0							
ABSENT	0							

ROLL CALL VOTE: The motion passed 6-1.

L. Wesley Ringering, DO

Case No. 3544

License No. 1792

MOTION: Mr. Grossman moved for DISMISSAL. Mr. Becke seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. Wedel	Dr. Cohen	Dr. England	Mr. Becke	Dr. Picardo
YES	7	X	X	X	X	X	X	X
NO	0							
ABSTAIN	0							
ABSENT	0							

ROLL CALL VOTE: The motion passed 7-0.

M. Leslie Edison, DO

Case No. 3530

License No. 2491

MOTION: Dr. Wedel moved for DISMISSAL. Dr. England seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. Wedel	Dr. Cohen	Dr. England	Mr. Becke	Dr. Picardo
YES	7	X	X	X	X	X	X	X
NO	0							
ABSTAIN	0							
ABSENT	0							

ROLL CALL VOTE: The motion passed 7-0.

N. Kenneth Locke, DO Case No. 3581 License No. 3072

MOTION: Dr. Wedel moved for DISMISSAL. Dr. Cohen seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. Wedel	Dr. Cohen	Dr. England	Mr. Becke	Dr. Picardo
YES	7	X	X	X	X	X	X	X
NO	0							
ABSTAIN	0							
ABSENT	0							

ROLL CALL VOTE: The motion passed 7-0.

O. Olin Vance, DO Case No. 3671 License No. 4073

MOTION: Dr. Wedel moved for a LETTER OF CONCERN pursuant to A.R.S. § 32-1854 (6) and (38) for failure to fully address that patient was on anticoagulant, failure to order INR, and failure to give more detailed instructions on medicine prescribed. Dr. Cohen seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. Wedel	Dr. Cohen	Dr. England	Mr. Becke	Dr. Picardo
YES	6	X	X	X	X		X	X
NO	1					X		
ABSTAIN	0							
ABSENT	0							

ROLL CALL VOTE: The motion passed 6-1.

P. Rex Dale Cooley, DO Case No. 3683 License No. 3733

MOTION: Dr. Wedel moved for DISMISSAL. Mr. Grossman seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. Wedel	Dr. Cohen	Dr. England	Mr. Becke	Dr. Picardo

YES	7	X	X	X	X	X	X	X
NO	0							
ABSTAIN	0							
ABSENT	0							

ROLL CALL VOTE: The motion passed 7-0.

Q. Kumar Daulat, DO Case No. 3532 License No. 2635

MOTION: Dr. Wedel moved for an INVESTIGATIVE HEARING. Mr. Grossman seconded.

VOTE: The motion passed 7-0.

R. Richard Rosengard, DO Case No. 3595 License No. 2056

MOTION: Dr. Cohen moved for DISMISSAL. Mr. Becke seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. Wedel	Dr. Cohen	Dr. England	Mr. Becke	Dr. Picardo
YES	7	X	X	X	X	X	X	X
NO	0							
ABSTAIN	0							
ABSENT	0							

ROLL CALL VOTE: The motion passed 7-0.

S. Michael Frayser, DO Case No. 3645 License No. 4134

MOTION: Dr. Wedel moved for DISMISSAL. Dr. England seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. Wedel	Dr. Cohen	Dr. England	Mr. Becke	Dr. Picardo
YES	7	X	X	X	X	X	X	X
NO	0							
ABSTAIN	0							
ABSENT	0							

ROLL CALL VOTE: The motion passed 7-0.

T. Todd Frye, DO

Case No. 3747

License No. 3495

MOTION: Mr. Grossman moved for DISMISSAL. Dr. Wedel seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. Wedel	Dr. Cohen	Dr. England	Mr. Becke	Dr. Picardo
YES	7	X	X	X	X	X	X	X
NO	0							
ABSTAIN	0							
ABSENT	0							

ROLL CALL VOTE: The motion passed 7-0.

U. George Engisch, DO

Case No. 3522M

License No. 1197

MOTION: Mr. Grossman moved to issue a LETTER OF CONCERN pursuant to A.R.S. § 32-1854 (6) and (38) with 30 hours of continuing medical education in interpretation of CT scans of the central nervous system. Dr. Steinway seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. Wedel	Dr. Cohen	Dr. England	Mr. Becke	Dr. Picardo
YES	7	X	X	X	X	X	X	X
NO	0							
ABSTAIN	0							
ABSENT	0							

ROLL CALL VOTE: The motion passed 7-0.

V. Don Cunningham, DO

Case No. 3737A

License No. 0732

MOTION: Dr. Wedel moved for DISMISSAL. Dr. Picardo seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. Wedel	Dr. Cohen	Dr. England	Mr. Becke	Dr. Picardo
YES	7	X	X	X	X	X	X	X
NO	0							
ABSTAIN	0							
ABSENT	0							

ROLL CALL VOTE: The motion passed 7-0.

W. Douglas Cunningham, DO Case No. 3737B License No. 2325

MOTION: Dr. Wedel moved for DISMISSAL. Dr. Picardo seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. Wedel	Dr. Cohen	Dr. England	Mr. Becke	Dr. Picardo
YES	7	X	X	X	X	X	X	X
NO	0							
ABSTAIN	0							
ABSENT	0							

ROLL CALL VOTE: The motion passed 7-0.

X. Leslie Edison, DO Case No. 3711 License No. 2491

MOTION: Mr. Becke moved for an INVESTIGATIVE HEARING. Dr. England seconded.

VOTE: The motion passed 7-0.

Y. James McCartan, DO Case No. 3573 License No. 3505

MOTION: Dr. Wedel moved for DISMISSAL. Dr. England seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. Wedel	Dr. Cohen	Dr. England	Mr. Becke	Dr. Picardo
YES	6	X	X	X	X	X		X
NO	1						X	
ABSTAIN	0							
ABSENT	0							

ROLL CALL VOTE: The motion passed 6-1.

Z. Christopher dePalo, DO Case No. 3757 License No. 4434

MOTION: Mr. Becke moved for an INVESTIGATIVE HEARING. Mr. Grossman seconded.

ROLL CALL VOTE: The motion passed 7-0.

8. REVIEW, DISCUSSION, AND ACTION ON CASE REVIEW AND POSSIBLE CONSIDERATION OF SUMMARY SUSPENSION, PURSUANT TO A.R.S. § 32-1855(C through F) AND § 41-1064 (C).

At 11:04 a.m. the Board went into Executive Session for legal advice. The meeting resumed at 11:13 a.m.

A. Richard Mickle, DO Case No. 3784 License No. 2767

MOTION: Dr. England moved to ACCEPT INTERIM CONSENT AGREEMENT as presented. Mr. Grossman seconded.

VOTE: The motion passed unanimously.

B. Jack Bouchier, DO Case No. 3785 License No. 0800

MOTION: Dr. Cohen moved to ACCEPT INTERIM CONSENT AGREEMENT as presented. Mr. Becke seconded.

VOTE: The motion passed 6-1, with Mr. Grossman opposing the motion.

9. REVIEW, CONSIDERATION AND ACTION ON COMPLIANCE WITH TERMS OF BOARD ORDERS AND REQUESTS TO MODIFY OR TERMINATE ORDERS, PURSUANT TO A.R.S. § 32-1855 (E) AND (I).

A. Thomas Handeguand, DO

Dr. Handeguand was present with attorney Kraig Marton. Dr. Handeguand was sworn in by the court reporter. Dr. Handeguand answered all questions posed by the Board.

MOTION: Dr. Wedel moved to lift the SUSPENSION AND ACCEPT PROBATION but to amend the Probation to include restriction from prescribing Schedule 2 and 3 narcotics.

VOTE: The motion passed unanimously.

B. Michael Denicole, DO

Dr. Denicole was present and sworn in by the court reporter. Dr. Denicole answered all questions posed by the Board.

MOTION: Dr. Wedel moved to lift the SUSPENSION AND ACCEPT PROBATION but to amend the Probation to restrict from prescribing all scheduled narcotics.

VOTE: The motion passed unanimously.

10. ADJOURNMENT

The meeting adjourned at 4:15 p.m.

Dated this ____ day of _____, 2006.

**_____
Jack Confer, Executive Director**